

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC. :  
SECURITIES LITIGATION : 05 MD 1695 (CM)(GAY)  
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THIS DOCUMENT RELATES TO: :  
ALL ACTIONS :  
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**DECLARATION OF J. ROSS WALLIN IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO LEAD PLAINTIFF'S MOTION FOR PARTIAL  
RECONSIDERATION OF THE COURT'S MARCH 9<sup>TH</sup> ORDER**

**(FILED UNDER SEAL PURSUANT TO CONFIDENTIALITY  
ORDER DATED MAY 16, 2006)**

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Edward H. Braun, John F. Rein, Jr. and John P.  
Kiernan*

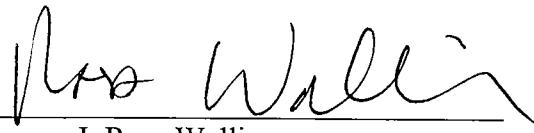
April 2, 2007

J. ROSS WALLIN declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a lawyer with the law firm of Gibson, Dunn & Crutcher LLP, counsel to Defendants Veeco Instruments Inc., Edward H. Braun, John F. Rein, Jr., and John P. Kiernan in this action.
2. The email string dated July 1, 2004, Bates-stamped VECO 0115826-30 and cited as Osterwise Declaration Exhibit 3 by Lead Plaintiff in its memorandum in support of its motion for partial reconsideration, was produced to Lead Plaintiff on August 21, 2006.
3. Attached hereto as Exhibits are true and correct copies of the following:

<u>Exhibit No.</u>	<u>Description</u>
A	Affidavit of John F. Rein, Jr., dated August 25, 2006.
B	Excerpts from the deposition transcript of John F. Rein, Jr., dated February 28, 2007.
C	Excerpts from the deposition transcript of Bruce Huff, dated February 9, 2007.
D	Excerpts from the deposition transcript of John Kiernan, dated February 27, 2007.
E	Excerpts from the deposition transcript of Thomas Vollmer, dated January 10, 2007.
F	Declaration of Rory A. Greiss, dated August 25, 2006.
G	Excerpts from the deposition transcript of Gary Reifert, dated February 13, 2007.

Executed on April 2, 2007



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J. Ross Wallin